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Hind Complains of Eben Low in Court.

DOES NOT SUIT

Robert Hind Seeks to Have Partnership Formed in 1893 Dissolved Now.

Some rather sensational charges are made in a petition for dissolution of partnership filed in the Circuit Court by Robert Hind against Eben P. Low.

The complaint sets out that the parties to the suit above mentioned formed a co-partnership under the firm name of "Hind & Low," on October 1, 1893, at Kohala, for the purpose of stock raising, coffee planting and other agricultural pursuits. At the time of the formation of the partnership, plaintiff was in the employ of the Hawi plantation as a stock luna, and defendant Low was residing at Kohala and held the office of tax collector for that district, it being agreed that both parties should continue their said pursuits.

In this connection it is alleged that defendant, within the past two months, has taken charge of the construction of a public road in Kona, and is appropriating the compensation for such services to his own use. In pursuance of the agreement, a stock ranch was established at Puuwaawaa, and also a butcher shop at Kohala, which, up to the end of the last year, was conducted as a partnership affair. It was agreed also that the defendant should keep the books of the firm, but that both partners should have equal voice in its management.

The petition alleges that the complainant for the first two or three years was allowed to have an equal voice in the affairs of the concern, but of late years defendant has discouraged such attempts to allow an equal share in the management, and that defendant has desired to have the whole say, "and that the desire to have the entire say as to said partnership has become more and more pronounced and has grown upon said defendant until within the two years last past complainant says that he has had no more to say practically in the partnership affairs and in the conduct of the partnership business than if he were an entire stranger to said business and

without authority in the premises." Complainant further says that defendant has acted in an offensive manner and has so aften overridden his wishes that he has had no choice but to withdraw, and has been compelled to feel that his views and presence were unwelcome to said defendant.

"And in this connection complainant specifically charges that upon a number of occasions, while complainant and defendant had been jointly engaged with their employes in ranch work and in handling cattle, the defendant has openly, scandalously and unjustly abused complainant in the presence of their said employes and to the humiliation of complainant and with utter disregard of the rights of complainant in the premises, calling complainant 'a - fool' on two occasions, in the presence of employes, and in their presence criticising complainant's work in driving, etc., with oaths and disparaging and contemptuous remarks, and overriding, before the employes, complainant's directions and wishes, and in such a way as to compel complainant to have an open and scandalous row with defendant, or to submit in silence. which latter course complainant has

taken for peace sake." The complainant further recites instances where his wishes were overridden by defendant, it being alleged that

Low does ar he pleases.

Among these it is stated that complainant believes the ranch is at present carrying more stock than is necessary, but defendant thinks otherwise; and that defendant put in a telephone line from the ranch to the station, in defiance of complainant's wish-That between them it had been agreed to import a backney stud, for \$750, but that instead defendant imported a thoroughbred running horse from Australia, for which he paid \$1300, and upon being taxed with this action, defendant said he had forgotten to make an explanation as to the change

in plans. There have been also differences as to treatment of stock, it being alleged that defendant treats the stock in a harsh, reckless and at times cruel manner, often beating stock and spurring animals harshly and cruelly and in open disregard of complainant's wishes

Complainant further alleges that by reason of defendant's control of the sale of stock, he was five years ago given a share in the Metropolitan Meat Company of Honolulu, and that he appropriated it to his own use, receiving the income therefrom, when it was his duty to turn it in to the copartnership. It is further complained that defendant has failed to render yearly accounts as he was required to do, and that defendant is using said ranch for his private gain and benefit, in that he is maintaining his family upon said SAVINGS DEPOSITS received and ranch, at the expense of the conartnership

> It is further alleged that negotiations have been pending for six months for the sale of one partner's share to the other, but with no success, and now complainant wishes to take advantage of the agreement, which provides for a division of the property, but defend-ant contends that the firm must continue for 25 years, and declines to discontinue the partnership.

Wherefore complainant asks that an what shall appear to be due by said accounting, and that the partnership Read the Daily Advertiser; 75 cents than you can get them for elese-



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